

Serial Number 09/877,492
Express Mail Number: EV 246877545 US
Inventor: Aspe et al.

REMARKS

Attorney Docket Number

The attorney docket number for this matter has changed to 6303.000-US. Applicants' representatives request that the Office use the new attorney docket number for all future correspondence.

The Claim Amendments

Claims 1-21 are hereby cancelled, without prejudice, to simplify prosecution and expedite allowance of claims directed to particular aspects of Applicants' invention. New claims 22-31 are directed to particularly advantageous and useful aspects of Applicants' invention. Specifically, new independent claim 22 is directed to a method of providing remote health education to a patient under the supervision of both a preceptor and health care provider. New independent claim 30 is directed to a system comprising three unique interfaces designed for displaying information to and receiving information from the patient, preceptor, and health care provider, respectively, as part of a remote health care educational program. New claims 22-31 are supported by the specification, claims, and figures of this Application as originally filed (see, e.g., Figs. 3-6). Accordingly, these claims add no new matter.

The Office Action

The Office Action rejected claims 1-3 and 5 under 35 U.S.C. § 102(b) as allegedly encompassing subject matter anticipated by U.S. Patent 5,879,163 (hereinafter the "Brown '163 patent"). The Office Action further rejected claims 4 and 6-21 under 35 U.S.C. § 103 as allegedly encompassing subject matter that would have been obvious over the Brown '163 patent in view of U.S. Patent Application Publication No. 2001/0016310 (hereinafter the "Brown '310 application").

Claims 1-21 are hereby cancelled, rendering the Section 102 and Section 103 rejections of the Office Action moot. For sake of expediting allowance, Applicants note that the Brown

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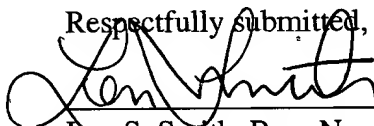
'163 patent does not anticipate and does not suggest, either alone or in combination with the Brown '310 application, the subject matter of new independent claim 22 or new independent claim 30. For example, among other possible and significant differences, Applicants note that neither the Brown '163 patent nor the Brown '310 application teach or suggest a method of patient healthcare education where the patient's progress through an individualized health care program is monitored by both a preceptor and a health care provider. Accordingly, Applicants respectfully submit that the Office should deem all of the pending claims free of the cited art.

Conclusion

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Date: September 29, 2003

Respectfully submitted,



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